

Pending Approval

Town of Lincoln, Vermont
Regular Selectboard Meeting

(This meeting held from multiple remote locations via GotoMeeting).

Tuesday, June 2, 2020, 6:30 PM

In Attendance: Selectboard Chair, Bill Finger; Vice-Chair, Paul Forlenza; members Oakley Smith, Will Sipsey, and Bay Jackson; Select Board Assistant/Bookkeeper, Ann Kensek; Selectboard Clerk, Sarah Summers

Guests: Road Foreman, Dave Cavoretto; Town Clerk, Sally Ober (7:20 PM)

Bill called the meeting to order at **6:34 PM**:

1. *Agenda adjustments and approval

- a. MOTION BY PAUL, SECOND BY WILL, TO APPROVE THE MEETING AGENDA AS CLARIFIED AND AMENDED (*TO INCLUDE PAUL AND ANN'S MAY REPORT PRESENTATION). NO DISCUSSION. VOTE CALLED AND PASSED. 5-0-0.

2. *Approve 5/19/2020 regular meeting minutes

- a. MOTION BY PAUL, SECOND BY BAY, TO APPROVE THE 05-19-2020 REGULAR MEETING MINUTES (AS POSTED AND CLARIFIED BY BILL FINGER). NO DISCUSSION. VOTE CALLED AND PASSED. 5-0-0.

3. Citizen comments: NONE

4. Highway report:

- a. ***Driveway access permit request – Chris Acker – Elder Hill Road – Report/update/decision on actual installation:**

- i. Dave and Will met Chris Acker on-site for the discussion on the location of access. Dave explained that Chris has installed the new access slightly further from where it was expected to be located (further up Elder Hill) following the meeting. Dave noted that it is pretty close to where it needs to be, and he is hopeful that it will be moved further up Elder Hill. Paul verified that Dave had made the request to Chris to move it uphill. Dave also noted that there may be further discussions/meetings needed. Will expressed the importance of completing the project to standard and that the location seemed very different than what was discussed. Bay inquired about the actual distance of the discrepancy; Dave confirmed it is about 15 feet. Bill noted that nothing has been accepted yet and that the Board should be mindful of the timeline of Chris' project. Bay asked who has final approval; Dave confirmed that it is up to him and/or the Selectboard.
- ii. Bill made note of the drainage discussion on Kristy Lafayette's property. Jim Ryan (Dept. of Environmental Conservation Municipal Roads General Permit Program) has now been contacted about a claim that the Town drainage is adversely affecting the drilled well (adjacent to culvert discharge). Bill noted that there is no documentation to support poor

water quality. Bill said that Jim Ryan would like to look on-site as maps omit certain details. A meeting on-site to be scheduled this week with Dave, Bill, Jim Ryan, Kristy Lafayette, and any other Board members able to attend.

b. Road maintenance update:

- i. Dave explained that the roads are in good shape and he was able to take a break from grading and focus on the Urz project. Some ditching in process for French Settlement and Page Hill.
- ii. Dave mentioned that D & F Paving is patching West/East River Road and that paving should begin on main section of West River and all of Quaker next week. Paul asked about the paving schedule for So. Lincoln project; Dave explained that it will likely be bumped to next year as things have been very slow-moving with the Urz corner/wetlands requirements.
- iii. Dave explained that representatives from Otter Creek Engineering and Wetlands Commission classified the entire property as “wetlands”, including the former location of the house. Dave explained his requirement to stay back 50 feet from pink ribbons until the permits are in place and that the representative continues to return with more flagging. Dave expressed concerns about the possibility of increased cost on this project due to unforeseen wetlands hurdles. Bill added that someone from Montpelier had informed Dave that technically the permits should have been acquired *prior* to the house removal; he is hopeful that wetlands representatives will be willing to work with the Town as opposed to sending notice of violation. Dave to reach out for wetlands contact person.
- iv. Will noted that protecting wetlands is of great importance but not at the expense of the greater goal of improved river morphology at the location. Bill explained that the Agency of Natural Resources, Dept. of Environmental Conservation, District Wetlands Ecologist also inspected other areas like the town garage and various drainages; she told Dave that he can no longer do any ditching in the area surrounding the Town Garage. Bill noted that may have been no wetlands permits required or acquired when the garage was built; Will added that he believes it was built before something of its size required a storm water permit. Records of the Town garage construction project will be reviewed when vault access is possible.
- v. Grading/Ditching: (Above).
- vi. Grant Applications/Reimbursements:
 1. Ann outlined the four current grants in process. Town has received \$70,668 for Quaker Street (partial), \$80,385 still in process for So. Lincoln Road (Ann continues to follow up), the DEC (Dept. of Environmental Conservation) grant for Browns Road is in process at the State and the Town expects a reimbursement of \$12,843 in the coming weeks. She mentioned that the Town

received the bill from Nezin Excavating for the Better Roads Grant for Natural Turnpike (South Lincoln Road). The Town should receive about \$7,100 in reimbursement from VTRANS. She concluded that all applications are in process and the Town should be able to count them towards this FY. About \$100,373 should come back during this FY and there is about \$68,000 from previous year, totaling close to \$170,000 in grant funds for the year. Ann also noted that there is more work to be done on Quaker Street on So. Lincoln Road project and that she will continue to request reimbursements as segments are completed. Paul asked about the satisfaction of the match requirements; Ann clarified that they are met each time a reimbursement request is submitted.

c. Equipment and vehicle maintenance:

- i. Dave noted that Sean Broe has been at the shop working on a lot of routine maintenance and service.

d. *Sand pit – update on permitting process – Planning Commission Sub-Division Hearing 5/21; new PC meeting scheduled 7/9/20:

- i. Bill explained that the Planning Commission Meeting was held on 5/21. He noted that some Selectboard members were in attendance. Bill characterized the meeting as generally friendly and productive. After the survey was presented, there were many diverse opinions due to the discovery of a preliminary underestimation of the parcel size. Bill noted that Steve Revell's initial (preliminary) survey estimated the oval shaped parcel at 6-8 acres.
- ii. Bill presented Otter Creek Engineering's new drawing which shows the actual size of the parcel at 3.8 acres (not including buffer zones). The parcel is considered over 5 acres when buffer zones are included; (5 acres are required for the district subdivision). Bill explained that the conclusion of the meeting was to consider the project a 'major subdivision' in order to go through the process.
- iii. Bill explained Chuck Norton's concern about the new sizing and its impact on his future ability to improve sugaring operations. Chuck is seeking more assurance that he would be able to recover the property after the 30-year expiration. Bill explained that questions will be resolved, as final boundary lines are determined and agreed on and that all will work out to the satisfaction of both the Planning Commission and Norton.
- iv. Paul asked about boundary lines. Bill concluded that he could not accurately present the surveys at this meeting and suggested a special selectboard meeting for a site visit. Date for special meeting was set for Tuesday, June 9 at 5:30 PM.
- v. The minutes of the May 21 Planning Commission meeting are the official record of the sub-division process.

- vi. Bill concluded: Two more meetings are required; the Planning Commission has scheduled those meetings for the same night (locale TBD). They would like to meet in person, in a properly distanced fashion. If all goes well on July 9, subdivision portion will be complete, and the Town can proceed with storm water permitting and local zoning process.

e. **So. Lincoln Road – Urz Curve – Wetlands Update: (ABOVE)**

f. **Other business: NONE**

5. Budget & Finance:

a. Approval of check warrants:

- i. MOTION BY PAUL, SECOND BY WILL, TO APPROVE PAYROLL WARRANT #20/48 - \$3,376.81. VOTE CALLED AND PASSED. 5-0-0. No highlights to note.
- ii. MOTION BY PAUL, SECOND BY BAY, TO APPROVE PAYROLL WARRANT #20/49 - \$3,414.13. VOTE CALLED AND PASSED. 5-0-0. No highlights to note.
- iii. MOTION BY PAUL, SECOND BY WILL, TO APPROVE ACCOUNTS PAYABLE WARRANT #20/49 - \$30,023.77. VOTE CALLED AND PASSED. 5-0-0.
Highlights included: Gravel, final bill for Western Star repairs, first month of VMERs.
- iv. Brief discussion on the inability of an elected official to be an independent contractor (simultaneously).

b. PAUL's May Budget Report:

- i. Paul outlined the bottom line- Town is at 88% of budget, target is 92%. He said the Town is in good shape as long there aren't any surprises. Paul highlighted a few items: legal services (at \$18,000/budget was \$5,000), misc. admin (at \$6,000/budget was \$2,500), highway (at 81%, a savings of 19%). He noted that the highway fund savings were good, but more was expected; it seems a good start.
- ii. Paul explained line 161: the total of equipment maintenance and the significant overage (+/- \$44,000 budgeted). Paul reminded the board that this is one of the most difficult categories to forecast but he is hopeful for savings next year (especially given new equipment).

Sally arrives (7:20)

- iii. Other overages noted by Paul: sand over by 112%, salt over by 123%. Total Supplies overall is only over by 3%, which eases concerns. Hwy Dept at 87%, (5% better than forecast), Hwy Dept. grand total (line 205) at 88%, okay as long as surprises avoided. Paul noted that there will not be much of a surplus, but he hasn't had much visibility on the revenue side.

c. **Contingency planning for potential revenue loss due to covid-19 economic impact: NONE**

d. **Other business: NONE**

6. Admin & Personnel:

- a. ****Employee Safety Policy as required by VOSHA for reopening town facilities: NONE**

b. **Sally & Ann – Proposals for use of Town Office:

- i. Sally explained how she has been working remotely as much as possible as requested by Governor Scott. She announced that tomorrow will be the first day she and Ann will work in the office together. Sally inquired about Town Policies and if anything had been drafted; Ann noted that VLCT had published a useful reference recently. The plastic barrier/shield is to be installed in the office next week. Sally explained that many town clerks are still not permitting visitors to the vaults and that she has been scanning and sending documents electronically. She noted the particular challenge for title searches and the need for surveyor access (re: sand pit). She noted that the sidewalk study representatives have requested entry as well. Sally expressed her continued caution surrounding personal health. Bay suggested limiting visiting hours for the public once the shield is installed and employees feel well prepared/protected. Sally cited a recent transaction made outside on the picnic table and the use of window service. Discussion on the requirement/encouragement of mask wearing. Sally expressed her desire to continue town business by appointment only. Ann mentioned the possibility of allowing research to be performed in the conference room. Bay suggested a rearrangement of tables/chair in order to streamline visitor flow/limit exposure.
- ii. Sally said she'd been in contact with the Secretary of State's office in regard to upcoming elections. She explained the outlined plan for the August primary which will have both vote-by-mail and open polls. Sally mentioned mailing address updates and sending postcard reminders about absentee ballots. Sally noted the possible use of Burnham Hall for in-person voting due to the double entry/one-way flow/additional space, but poll relocation is very inconvenient and can be confusing. Bay noted the additional doorway in the Town Office conference room and that one-way flow is achievable at the office as well. Paul said he thought Burnham would be better given the additional space. Bay noted that 20 people are permitted to gather now, with proper spacing techniques/line formed outside, the Town Office should be perfectly suitable. Paul noted that members of the public may not like waiting outside; Bay said that everyone's life has been impacted by the virus and people are understanding that things will be different.
- iii. Sally suggested the use of an outside crew of helpers to help service townspeople who don't want to leave their cars. Sally also noted that towns with tabulators may be able to start opening absentee ballots multiple days prior to election day for swift results day-of. Further discussion on ballot-reading machines.

c. *ACRCP & TAC Appointments for FY21:

- i. MOTION BY PAUL, SECOND BY WILL, TO APPOINT STEVE REVELL AS DELEGATE AND OAKLEY SMITH AS ALTERNATE TO THE PLANNING COMMISSION. NO DISCUSSION. VOTE CALLED AND PASSED. 5-0-0.

- ii. MOTION BY PAUL, SECOND BY BILL, TO APPOINT WILL SIPSEY AS DELEGATE AND PAUL FORLENZA AS ALTERNATE TO TAC. NO DISCUSSION. VOTE CALLED AND PASSED. 5-0-0.

d. Update on Zoning Administrator applicant pool:

- i. Bill informed the Board that there are four applicants for the Zoning Administrator position thus far. Bay inquired about some specifics of the job. Bill noted that it has been posted on Front Porch Forum and that applications are due by June 15th.

e. Other business:

- i. Bill mentioned another zoning issue on a 60-acre parcel of land. He explained that the house was built a number of years ago without permitting and it appears that three other (unpermitted) dwelling units have been established. He noted the presence of a number of vehicles/RVs and construction equipment though he is unsure of the zoning requirements surrounding vehicles. He also noted the lack of water supply (other than extraction from the river). Bill has spoken to Bob Hall and Bob confirmed a letter has been sent to the property owner encouraging him to comply. Bay mentioned that citizens have inquired about the property. Further discussion on zoning and enforcement.

7. Public Safety & Environment:

a. Report on Green-Up-Day – May 30:

- i. Bill said the Green-Up-Day response was tepid this year. Many factors likely contributed: lack of festivities, bad weather, rescheduling. He said only 15 bags were delivered. Randy at Moose Rubbish volunteered to bring the trailer again this Saturday for any last green bags.

b. **Transfer Station permit issuance, validity for 2020/21:

- i. Sally informed the Board that the recent decision from the 5-19 meeting has presented logistical problems for office employees. (Beginning Line 273 of the 05-19-2020 Regular Meeting Minutes read: "MOTION BY PAUL, SECOND BY BAY, TO EXTEND THE VALIDITY OF CURRENT TRANSFER STATION STICKERS UNTIL SEPTEMBER 1, AND TO AUTHORIZE THE TOWN TO SEND OUT NEW STICKERS WITH TAX BILLS IN AUGUST (FREE OF CHARGE). NO FURTHER DISCUSSION. VOTE CALLED AND PASSED. (4-0-0-1)."). For instance: not every taxpayer uses the dump, there are many renters who don't pay taxes use the dump. Lisa had suggested that those who want stickers should send a preaddressed envelope with postage to the office.
- ii. Oakley noted that he thought the Board had gotten rid of the stickers. Bill agreed that it appears to be time to reform the system and get rid of the Transfer Station stickers.
- iii. MOTION BY OAKLEY, SECOND BY BAY, TO GET RID OF THE DUMP STICKERS. DISCUSSION:
 - 1. Will vehemently opposed Oakley's motion and expressed his great love of the Lincoln dump stickers. He noted that Sally has already

ordered the 2020 stickers and the Town will miss out on the revenue. Paul asked Oakley if he would like to amend his motion.

2. **Oakley amends his motion: ** (TO INCLUDE A PROVISION TO VOLUNTARILY PURCHASE A DUMP STICKER FOR DOUBLE THE CURRENT GOING VALUE (\$30)).
 - a. Will expressed his satisfaction with Oakley's amendment. Sally noted the how the sticker distribution will be an increase in workload for her and the best timing for her to execute. She suggested temporarily suspending stickers; Will noted that a suspension is pointless if the stickers are not enforced.
3. CONTINUED DISCUSSION...Paul noted that the revenue from the dump stickers is not very substantial (~\$3,600). Will disagreed and recalled instances where an availability of those funds would have been useful. FURTHER DISCUSSION...

The Transfer Station sticker discussion became muddled and rapid, resulting in the following progression of motions:

- OAKLEY'S AMENDMENT TO THE MOTION PASSED BY 3 VOTES
- A MOTION TO APPROVE THE ORIGINAL MOTION (FURTHER DISCUSSION)
- MOTION TO TABLE THE MOTION (RESULTS UNDETERMINED BY MINUTE-TAKER, FURTHER DISCUSSION)
- A FINAL VOTE ON THE ORIGINAL MOTION WHICH DID NOT PASS. (RESULTS UNDETERMINED BY MINUTE-TAKER)

CONCLUSION: THE DECISION FROM THE 5-19 MEETING REMAINS UNCHANGED. Some noteworthy comments of the discussion as follows:

- i. Bay asked about the revenue and if something would need to replace it.
- ii. Oakley reiterated the enormous inefficiency brought about by repeated and continued discussion on the stickers. He said everyone's time is better spent doing other work—or enforce the stickers to drive more revenue, though there are unintended consequences (littering).
- iii. Will suggested speaking to Vaneasa at the store, sticker sales likely bring in business for her. Bill noted that it is an extra transaction that no one needs to be making. Will questioned the elimination of stickers.
- iv. Oakley said that enforcement of stickers also brings about a certain barrier to entry for neighboring residents which would negatively impact Randy's

revenue. Oakley noted that it is incredibly difficult to find haulers in Lincoln and that Moose is essentially doing us a favor--it would behoove the Town to boost revenue for Moose Rubbish as incentive to keep the service in town. The dump stickers are a hassle and do not serve the efforts of increasing revenue for Moose Rubbish.

- c. ****VT Family Farms – use of property for wedding venue:**
 - i. Bill mentioned a recent request for the use of Wells Farm as a wedding venue. He noted a catering permit would be needed. Paul asked if it were to be a recurring venue; Will clarified that it would need to be considered a venue and proper use permits would have to be pulled.
- d. ***LCS Car Parade 6/11:**
 - i. The Lincoln Community School has asked to have a car parade as a substitution for graduation celebrations.
 - ii. MOTION BY WILL, SECOND BY BAY, TO APPROVE THE LCS PARADE. NO DISCUSSION. VOTE CALLED AND PASSED. 5-0-0.

*****~LCS Graduation Car Parade to take place Thursday June 11 at 5:00 PM~*****

- e. **Other Business:**
 - i. Bill announced a recent accident on Monday morning: a car hit the front steps of Burnham Hall and damaged the handrail. Brief mention of other collisions.
 - ii. Will added that the railing on the Hall Road bridge is in horrible condition and that it seems dangerous/a relatively simple fix.

8. Board Member Concerns:

- a. **VLCT Training – Registrations/postponements: NONE**
- b. **Other business: NONE**

9. Executive Session:

- a. ****Decisions (if any on any matters discussed in executive session): NONE**

10. Adjourn:

- a. Meeting Adjourned: **8:49 PM**

Respectfully submitted,
Sarah Summers